IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 12TH JUNE 2007 / 22ND JYAISHTA 1929

Bail Appl..No. 3500 of 2007()

CMP.2092/2007 of J.M.F.C.-I,HOSDRUG
CRIME NO.17/07 OF AMBALATHARA POLICE STATION

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: PETITIONER/ACCUSED NO.2:

GANESAN, S/O. KUNHIRAMAN,
MARKALAM, PULLUR VILLAGE, KASARGOD DIST.

BY ADV. SRI.C.MURALIKRISHNAN (PAYYANUR)

RESPONDENTS: COMPLAINANT:

STATE OF KERALA,
REPRESENTED BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/06/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 3500 OF 2007

Dated this the 12th day of June, 2007

O R D E R

In this Petition filed under Sec. 439 Cr.P.C. the petitioner, who is the 2nd accused in Crime No.17/2007 of Ambalathara Police Station for an offence punishable under Sec.55(a) of the Abkari Act for having been found in possession of 30 liters of Karnataka arrack in 300 packets, seeks his enlargement on bail. Petitioner surrendered on 11.5.2007.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner but only with effect from a future date. Accordingly, the petitioner is directed to be released on bail with effect from 28.6.2007 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Hosdurg and subject to the following conditions:

a. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

b. The petitioner shall make himself available for interrogation as and when required by the police till the filing of the final report.

c. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

d. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

(V. RAMKUMAR, JUDGE)

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